

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THOMAS FERNANDEZ and LORA SMITH,
individually and on behalf of a class of all others
similarly situated,

Case No. C06-07339 MJJ

Plaintiff(s),

**ADR CERTIFICATION BY PARTIES
AND COUNSEL**

v.

K-M INDUSTRIES HOLDING CO., INC., et al.

Defendant(s).

/

Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5 (b), each of the undersigned certifies
that he or she has:

- (1) Read the handbook entitled "*Dispute Resolution Procedures in the Northern District of California*" on the Court's ADR Internet site www.adr.cand.uscourts.gov (*Limited printed copies are available from the clerk's office for parties in cases not subject to the court's Electronic Case Filing program (ECF) under General Order 45*);
- (2) Discussed the available dispute resolution options provided by the Court and private entities; and
- (3) Considered whether this case might benefit from any of the available dispute resolution options.

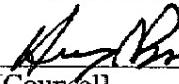
Dan Stritmatter for K-M Industries Holding Co. Inc.; K-M Industries Holding Co. Inc. ESOP Plan Committee; and CIG ESOP Plan Committee

Dated: 3/8/07

[Party]

Henry I. Bornstein for Lovitt & Hannan, Inc.

Dated: 3/8/07

[Counsel]


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"ADR Certification (ADR L.R. 3-5b) of Discussion of ADR Options."

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